

**Remarks**

Claims 212, 213, 215-223 and 225-229 are pending in the application. Claims 212, 213, 215-223 and 225-229 were rejected. Claim 212 is amended. Claim 212 is the independent claim. Reconsideration of the amended application is respectfully requested.

The examiner objected to the previous amendment as not being supported by the original disclosure. The examiner also rejected claim 212 as failing to comply with the written description requirement. Specifically, the examiner asserted that the following claim language is not supported: “wherein specific operating elements are allocated, in an initial state, to a specific first functionality, wherein said specific operating elements, immediately after triggering a providing function for a selection menu, are automatically re-programmed to trigger, in a selection state, a selection function within the provided selection menu”.

The examiner is respectfully directed to Figs. 15 and 16 of the original disclosure, as well as to the corresponding text on page 17, line 34 through page 18, line 17, and on page 40, lines 4-23. These figures illustrate the exemplary embodiment in which three keys or push buttons are located on the back side of the device. Initially, the push buttons are programmed or configured such that pressing a push button will trigger a provision or display of a selection menu. Upon provision of this selection menu, actuation of the push buttons allows for selecting a menu item from among the plurality of menu items, that is, to move up and down within the menu, and/or for activating specific functionality corresponding to a selected menu item. Thus, after provision of the selection menu by initially pressing a push button, the operating elements are automatically reprogrammed

to trigger, in a selection state, a selection function within the provided selection menu by the next pressing of the push buttons.

Thus, the claimed subject matter was disclosed in the original written description. The objection and rejection, therefore, should be withdrawn.

The examiner rejected claims 212, 213, 215-223, and 225-229 under 35 USC §102(b) as being anticipated by Lebby et al.

Independent claim 212 recites a mobile display device, in particular for displaying text and image information. The mobile display device includes a casing, at least one manipulation region for operation by a user, and at least one actuatable operating element. The casing has a planar display unit with at least one planar display screen disposed on a first side of the casing. The manipulation region is provided at a border zone of the display unit in such a way that the user can perform operating actions with one or more fingers of one hand. The at least one actuatable operating element is arranged within the manipulation region on a second side of the casing that faces in a direction different than the first side. Actuation of the at least one operating element individually or in combination initiates leafing-through functions to navigate document content displayed on the display screen, scrolling functions to navigate document content displayed on the display screen, or providing functions for selection menus. Specific operating elements are allocated, in an initial state, to a specific first functionality. Immediately after triggering a providing function for a selection menu, the specific operating elements are automatically re-programmed to trigger, in a selection state, a

selection function within the provided selection menu. The first side of the casing is a front side and the second side of the casing is a rear side.

Thus, at least one actuatable operating element is arranged within the manipulation region on a second, rear side of the casing that faces in a direction that is different than the first, front side of the casing, on which the display screen is arranged. Also, specific operating elements are allocated to a first functionality in an initial state. After a providing function for a selection menu is triggered, the operating elements are automatically re-programmed so that they are then in a selection state. In this selection state, the operating element triggers a selection function within the provided selection menu.

Providing the actuatable operating elements on the rear side, facing away from the front side of the display, as recited in claim 212, provides several advantages. For example, it is not necessary to provide space for the operating elements on the display screen side of the casing of the claimed invention, and therefore essentially all of the area of the front side is available for use as a display screen. In addition, providing the operating elements on the rear side ensures that the display is not partially obstructed by hands or fingers when actuating the operating elements. The hands and fingers can be held in a natural position, such as when reading a traditional book, leaving the display portion unobscured. This ease-of-use is not possible according to either Lebby et al. embodiment, and Lebby et al. do not even suggest the claimed arrangement, preferring instead to provide function keys adjacent the display to facilitate reading the electronic book while it is laid flat on a table.

Lebby et al. disclose an electronic book having a different structure than that of the claimed invention. In a first embodiment, shown in Figs 1-3, the electronic book 101 includes three hollow bodies 103, 108, 112. A number of function keys 117 and a display are provided on an outer surface of the first hollow body 103. Display pages 160 are provided within the electronic book 101, between the first two hollow bodies 103, 108 and abutting the third hollow body 112.

In contrast to the claimed invention, Lebby et al., in this first embodiment, disclose function keys 117 that are disposed on the same side of the first hollow body 103 as the display 119, does not disclose or suggest that a display is disposed on the other hollow body 108, or disclose any reason that the display and function keys should be disposed on opposing hollow bodies. Only the display pages 160 have any substantive display functionality, and these pages have no function keys or buttons, and in any case are not part of either hollow body (casing).

Thus, the claim requirement that the casing has a planar display unit with at least one planar display screen disposed on a first, front side of the casing, and that at least one actuatable operating element is arranged within the manipulation region on a second, rear side of the casing that faces in a direction that is different than the first side of the casing, is not disclosed or suggested by Lebby et al. in this embodiment. This embodiment only discloses actuatable operating elements arranged within a manipulation region on the same side of the casing as the display. This embodiment of the Lebby et al. device, therefore, does not anticipate the invention as recited in claim 212.

In the second embodiment, shown in Fig. 4, an electronic book 460 includes hollow bodies 403, 408, and 412. A number of function keys 470, a first display 450, and a second display 451 are disposed inside the electronic book, on the inner, opposing faces of hollow bodies 403 and 408. Unlike the first embodiment, this embodiment does not have display pages inside the book, but rather the first and second displays 450, 451 are arranged inside the casing to provide the functionality of the pages. As shown, each set of function keys 417 is disposed on the same side of the casing as the respective display. Thus, the claim requirement that the casing has a planar display unit with at least one planar display screen disposed on a first, front side of the casing, and that at least one actuatable operating element is arranged within the manipulation region on a second, rear side of the casing that faces in a direction that is different than the first side of the casing, is not disclosed or suggested by this embodiment of the Lebby et al. This embodiment of Lebby et al., therefore, does not anticipate the invention as recited in claim 212.

In addressing the remarks provided in the previous response, the examiner noted that Lebby et al. disclose function keys 117 on the outside of the casing. Lebby et al. do disclose this element, as noted above, with respect to the first embodiment of the Lebby et al. device. That embodiment, shown in Figs. 1-3 and described in the passage from column 2, line 10 through column 4, line 49, only has one display 119 on the casing, on the same side of the casing as the function keys 117. There are other displays, namely, the page displays 116, but these page displays are not on the casing, and instead are separate elements that are connected to the casing. See Figs. 2 and 3. Claim 212 requires a casing having a planar display unit with at least one planar display screen disposed on a

first side of the casing, and at least one actuatable operating element arranged within a manipulation region on a second side of the casing that faces in a direction different than the first side. The only display 119 and operating elements 117 disclosed by Lebby et al. with respect to this embodiment are both arranged on the same side of the case.

Lebby et al. do arrange a display 450, 451 on the inside of the casing in a second embodiment, as shown in Fig. 4 and described in the passage from column 4, line 50 through column 5, line 45. In this embodiment, however, Lebby et al. have moved the operating elements 417 to the inside of the casing, again on the same side as the display 450, 451. Lebby et al. do not disclose or suggest an embodiment that includes both a display and operating elements on the casing, on opposite sides of the casing. In order to anticipate the claimed invention, Lebby et al. must show an embodiment including all elements of the claimed invention. A rejection for anticipation cannot be sustained by combining elements of different embodiments of the Lebby et al. reference, contrary to the intention of the inventors. The rejection can only be supported by a single embodiment that discloses all of the claimed elements.

The examiner also stated that Lebby et al. disclose a scrolling function, as recited in claim 212, citing column 5, lines 34-57. That passage describes general CPU functions, but does not disclose or suggest scrolling functionality. However, in the previous paragraph, at column 5, lines 26-32, Lebby et al. describe as an advantage of their device, the feature of pagination through text without scrolling. Thus, Lebby et al. actually teach away from scrolling functionality, relying only on a pagination function. See also column 4, lines 27-49, describing the automatic pagination function of the first

embodiment. This functionality replaces that of scrolling, which would be unnecessary and illogical using the Lebby et al. device.

Further, Lebby et al. do not disclose or suggest the operating element states recited in claim 212. That is, Lebby et al. do not disclose or suggest that specific operating elements are allocated to a first functionality in an initial state and that, after a providing function for a selection menu is triggered (via the operating elements), the operating elements are automatically re-programmed so that they are then in a selection state, in which the operating element triggers a selection function within the provided selection menu.

The examiner cited passages in Lebby et al. as disclosing actuatable operating elements that, in an initial state, specify a first functionality, and alternatively, in a selection state, activate a selection function within a provided selection menu. However, the cited passages merely describe that function keys can be used to select a variety of functions, such as pagination and volume, that input apparatus at an I/O port can be used in different modes, details of an automatic pagination function, details of manual pagination, general CPU function, and that functions can be menu-driven. Lebby et al. do not disclose or suggest the claimed re-programming of operating elements from an initial state to a selection state, enabled by a providing function triggered by an operating element. Lebby et al. do not suggest anything but fixed functionality for specific function keys 117, 417.

The examiner, in addressing the remarks above, stated that Lebby et al. disclose all of the buttons and keys and sensors associated with the display page, and after

accessing of the pages produces display of the previous state or an initial state, citing Figs. 1-5; column 2, lines 10-17 and 50-67; column 4, lines 13-49; and column 5, line 46 - column 6, line 34. The examiner further stated that sensors sense that the display pages are accessed and the sensor provides downloads to the MPU or CPU or automatically uploads updates. The examiner stated that the user selects the menu by using keys and buttons located on the display pages and triggers a selection function within the provided selection menu. Again, the examiner is citing relative actuating element and screen locations from different embodiments disclosed by Lebby et al. No single embodiment disclosed by Lebby et al. features the arrangement recited in the claims, and no rearrangement of these elements across the Lebby et al. embodiments is suggested or functionally possible.

The examiner also stated that Lebby et al. suggest reprogramming of operating elements from an initial state to a selection state, enabled by a providing function triggered by an operating element, again citing the passages cited above. The examiner also cited column 4, lines 28-49 as suggesting that the sensors associated with each page in communication with the CPU or MPU reprograms the initial state to a selection state after reaching the final display page or end of the book or last display page. That passage describes how textual content is displayed on page displays 116, 316. As page displays are turned, the content changes. When the last page display is reached, and the reader returns to the first page, the content on that page is changed. The changing of content takes place whether the reader pages forward or backward through the page displays.



Thus, that passage does not disclose that specific operating elements are allocated, in an initial state, to a specific first functionality, and that the specific operating elements, immediately after triggering a providing function for a selection menu, are automatically re-programmed to trigger, in a selection state, a selection function within the provided selection menu, as claimed. The selection state and selection function are not affected by paging through the Lebby et al. device. Rather, content on the page displays is changed. All function buttons and keys of the Lebby et al. device have a single, specific function that are not triggered to be re-programmed. Turning of the page displays triggers changing of content on the page displays only, not a providing function or a selection function. It is also submitted that the claimed feature also is not suggested by Lebby et al., and that in any case more than mere suggestion is needed to show anticipation.

The examiner also stated that Lebby et al. suggest that items 117 are keys or push buttons, citing column 2, lines 59-64. The examiner went on to state that, when the book is opened and a planar display is displaying image data as well as text data, the user can press 117, which the examiner believes would be obvious to locate on the rear side of the display, to achieve various functions while holding the book in the hand, also citing Figs. 1 and 4. The examiner also stated that Lebby et al. disclose scrolling functions to navigate document content displayed on the display screen, and providing functions for selection menus, citing column 5, lines 34-67 as suggesting that a scrolling function is used, providing a menu-driven function using a stylus, pen, or finger.

It is not disputed that Lebby et al. disclose keys or push buttons that provide certain functionality in the device. However, it is clear that Lebby et al. do not disclose

the particular structural arrangement recited in the claims. Further, whereas Lebby et al. disclose providing certain functions by depressing certain buttons on the Lebby et al. device, those buttons are all represent dedicated functions. That is, depressing those buttons always provides the same functionality. Lebby et al. do not disclose or suggest specific operating elements that are allocated, in an initial state, to a specific first functionality, and which are automatically re-programmed to trigger, in a selection state, a selection function within the provided selection menu, as claimed. There is no suggestion of re-programming of the buttons by Lebby et al.

For at least the reasons noted above, it is submitted that Lebby et al. do not anticipate or render obvious the invention as recited in claim 212. Claims 213, 215-223, and 225-229 depend from claim 212, and therefore also are not anticipated by or rendered obvious by Lebby et al. The rejection of claims 212, 213, 215-223, and 225-229, therefore, should be withdrawn

Based on the foregoing, it is submitted that the rejection has been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue.

Respectfully submitted,



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